

**St. George Planning Board
St. George Town Office
February 11, 2020 - 7 p.m.**

The Planning Board meeting was called to order at 7:00 p.m. Members present were: Anne Cox, Chair; Jane Brown, Mary K. Hewlett, Michael Jordan, Alan Letourneau, and Crystal Tarjick. Also present: CEO Terry Brackett, Richard Bates, Michael Gregg and Chuck Campbell.

Quorum: A quorum was present.

Conflict of Interest: None.

Adjustments to Agenda: None.

Review of the Minutes:

Planning Board Meeting – January 28, 2020 – The minutes were corrected as follows:

Page 2, paragraph 2, line 3, change to read: ...Zoning with **regard to Sea Level Rise issues**.

Page 2, paragraph 3, delete sentence in its entirety.

A motion was made by Jordan, seconded by Letourneau, to approve the minutes of January 28, 2020, as amended. The vote was 5-0. The motion carried.

Public Comments: None.

Building Permits:

a. Michael Gregg – 37 Apple Island Road / Map 217, Lot 064

Michael Gregg was present. The application dated 12/19/19 was withdrawn. The new application dated February 4, 2020 is to maintain and renovate the existing summer cottage located on 37 Apple Island Road. Shane Saino is the contractor. Shoreland Zone District is Marine Residential. Floodplain Designation is VE13.

Gregg explained the proposed project. The following will be replaced:

- The cupboards in the kitchen.
- Windows.
- The roof shingles.
- A door will be replaced with a wooden door.
- The bathroom tiles.
- The 9' sliding door.
- Lights using energy efficient light fixtures.
- Three ceiling fans.

The following will be added and installed:

- An attic fan.
- Vinyl siding to the exterior of the cottage.
- Shiplap wainscoting (interior).

- Prefinished hardwood flooring will be installed in the two 10' x 12' bedrooms.
- An existing closet will be moved.

Gregg said he has received quotes from Home Depot and Viking Lumber.

The following documentation was submitted with the new application:

1. The Elevation Certification. The certification work was done by surveyor Mark W. Ingraham, III, of Ingraham Land Consulting, Inc.
2. A price and market analysis on the cottage and property was prepared by Victoria Condon, Broker for Dwelling in Maine.

The Planning Board reviewed the application and property information. This project is entirely in the floodplain. Hewlett stated the new valuation of the structure is \$175,000 and the estimated costs will be \$54,465. Chair Cox stated the estimated cost is less than 50% of the value of the structure, so the proposed project is not required to comply with the requirements of the Floodplain Management Ordinance relating to the elevation of the structure above the base flood elevation.

Chair Cox asked why there was such a difference between the broker's estimate and the town's value of the land. Gregg said it is a two lots combined. The assessment is very high on the land. Gregg stated he had an appraisal done when he purchased the land in 2015. At that time, the land was appraised at \$125,000. The town has the land valued at \$416,000. Hewlett asked if the Planning Board knew why that appraisal was so different. Brackett said there could be a number of different reasons why and suggested Gregg contact the Assessing Agent to request a review.

On a motion by Hewlett, seconded by Brown, it was voted 5-0 to accept the application, as complete.

Chair Cox summarized the project. The repair and maintenance of the structure will cost over \$10,000. Interior renovations and exterior roof repair will be done. There will be no change in the footprint of the structure because the cost of the proposed project is less than 50% of the value of the structure to the Floodplain Management Ordinance.

On a motion by Letourneau, seconded by Brown, it was voted 5-0 to approve the application because there is no additional nonconforming use in the application, and the project will not be in violation of the ordinances. Because the work is repair and maintenance costing less than 50% of the value of the structure, the applicant does not need to elevate the structure to meet the requirement of the Floodplain Management Ordinance.

Pre-Application Meeting:

a. J.D. Miller – River Road & Seal Harbor Road / Map 231, Lot 069A

Chuck Campbell represented the applicant and property owner, J.D. Miller. The proposed project is to construct a 48' x 60' office and shop building with two (2) apartments and to construct a 30' x 60' building with four (4) to six (6) apartments located at the corner of Rt. 131 and Rt. 73. This proposed project is not in the Shoreland Zone District or in a Floodplain Designation area.

Campbell explained Miller's proposed plans. The plan is to have Miller's work office, another office to rent out, a workshop for himself, and two overhead apartments in the 48' x 60' building. On the lower part of the property, Miller's plan is to have four to six apartments in the 30' x 60' building. Campbell said there is no zoning ordinance in St. George that appears to apply to Miller's application, and he is not sure if there is an issue with what Miller wants to do.

Campbell said the structures have not yet been designed but the buildings will conform to the height ordinance. Campbell thinks it will be next summer before this application moves forward.

Chair Cox stated the lot is 4.91 acres. Campbell said the proposed project will not extend into the wooded area, but Chair Cox said it looks as if Miller is taking out timber from the wooded area now. Campbell said he has no idea about that, though he drove by Monday and did notice they were splitting the wood and loading the truck.

Campbell reviewed the Proposed Lot Division as shown on the 2014 sketch plan of A.True Hall Property for proposed locations of the structures. Hewlett asked to be shown the location of the woods on the sketch plan.

Chair Cox said she reviewed the town's Minimum Lot Size ordinance which states that multi-unit residential dwellings shall be located on lots or parcels of land which contain and minimum of five (5) acres. Jordan said that ordinance is defined as being a three (3) unit or more dwelling. Chair Cox also stated that multi-unit residential buildings shall contain no more than five (5) single residential units. Hewlett noted that Miller's 4.91 acres is under the 5 acres that is required. Jordan said a further constraint is that the applicant needs at least one acre of lot per residential dwelling unit.

Chair Cox asked if Miller got permission from DOT for the curb cut into the state road? Brackett said he did, and it was for access to the property. Cox asked if it was contingent upon a certain volume of use, but citing a similar situation, Brackett noted DOT is concerned about sight distances and intersection locations. Chair Cox did note that DOT does ask what the purpose of the proposed driveway or entrance is for, and she feels the Planning Board should know what Miller's stated purpose is and what he received permission for.

Chair Cox explained to Campbell that he should review the Performance Standards in the Site Plan Review as there are numerous questions about screening and relationship to the environment. For instance, how is Miller going to screen things when there is no soil left there? Hewlett said they will want to know if this is going to be a paved surface because that will be counted as lot coverage, if he does.

Hewlett asked if the apartments have to be ADA compliant? Brackett thought a number of them would have to be complaint based on the number of apartment units. Campbell said he would have to meet the Fair Housing Act.

Brackett read from the Site Plan Review Ordinance, Section III, Applicability and believes the Planning Board will have to follow this ordinance because of the multi-purpose use of this lot.

Hewlett asked, "Do you have to have 5 acres to have three units?" Chair Cox said, "That doesn't supplant the minimum lot size ordinance." Jordan thinks they both apply. He said for example, "You could do one building with the offices, shop and two apartments which isn't a multi-unit. You don't need 5 acres. But each unit needs one acre."

Campbell said it sounds like the biggest obstacle with Miller's proposed plan is the Minimum Lot Size. Chair Cox agreed but Miller will also have to pay attention to the Site Plan Review, all the standards, and how the project fits into the environment. "Is it going to be a large metal building? Is it going to be a wooden building?" Chair Cox said that type of information. Campbell said the structure will be a wood frame structure, but he understands what the Board's asking.

Chair Cox stated sewage treatment and surface water is another major factor that will need to be met.

Brackett also said he is not sure but thinks there might be some wetlands in the woods and if so, those will have to be delineated on the plan. Campbell said there very well could be and understands. Brackett also noted there will need to be a septic plan. Hewlett added there will need to be a well plan.

Hewlett wondered if four apartments can fit into the size of the larger building. Campbell is not sure if six apartments will fit into the 30' x 60' building. Brackett also noted Campbell does not have enough parking designated for all of the uses.

Hewlett said lighting will be a big issue.

Brackett asked Campbell if he was aware of the 50' right of way on that property. Campbell said no. Brackett said he looked it up and CMP has a 50' right of way along Rt. 73. Chair Cox asked if that means no building can go in there? Brackett said the power lines run down there, so pretty much no building in there. Campbell said, "So CMP has a 50' right of way on that property?" Brackett said that is what it appears to him. It is a deeded easement. Campbell said okay, he understood.

Letourneau asked if the 50' easement CMP has effectively had an effect on the lot size? He has the 4.91 acres. Brackett stated that is an area that he can't infringe upon as far as building. Jordan noted the buildings are far enough back. Theoretically, he could build within 25' of the road right-of-way which could encroach upon that. Campbell said right but Miller is not looking to be over there. Campbell stated he has a note from Miller which states "subject parcel maybe subject to a CMP easement."

Chair Cox encouraged Campbell to look at the Wetlands and the Performance Standards. This is a visible area and intersection. Campbell understood. Brackett included a color-coded map of the wetlands in the area of Rt. 73 and Rt. 131.

Chair Cox said, "That is a question the Planning Board will need to look at. The landscape shall be preserved in its natural state insofar as practical by minimizing tree removal, disturbance of soil, retaining existing vegetation during construction." Cox continued: The way it was two years ago is very different from the way it is now, and I submit that it should be restored to what was there before. Clearly what he has been doing there is because it is part of a larger project. It may be separated by several years but is a larger project.

Other Business: Jordan will email the most current and updated draft copy of the Sign Ordinance to the Planning Board.

There was no further business to come before the Board. On a motion by Letourneau, seconded by Hewlett, it was voted to adjourn the meeting at 7:45 p.m.

Respectfully submitted,

Marguerite R. Wilson
Planning Board Recording Secretary